



American Recovery and Reinvestment Act  
(ARRA): Energy Efficiency and Conservation  
Block Grant (EECBG)  
Competitive Municipal Sub-Grants 2009

NOTES:

1. This Sub-Grant Program is available to municipalities with populations less than 35,000.
2. All projects must be on, in, or servicing municipal buildings only, including schools.
3. For Regional Applications, each individual municipality must complete this page. For example, a region of communities may choose to apply for funds for its regional school district.
4. Building(s) must be owned by the municipality/public entity with no current or contemplated plans to sell the building(s).
5. The maximum amount of funds available to a municipality is \$150,000.
6. The total amount of funds available for this program is \$12,252,100.
7. Municipalities can apply to fund more than one project, but must submit only one (1) application.
8. Regardless of the number of projects, the maximum amount of available funds is \$150,000.
9. Funds cannot be used for projects that have already begun construction.
10. ***The receipt and use of funds are subjected to unprecedented levels of transparency and reporting requirements including, but not limited to: reporting, tracking and segregation of incurred costs, job creating and preservation, access to records and ensuring wage rates. Please refer to Appendix E for some of the reporting that will be required as a recipient of this grant.***
11. ***Included with this application must be a plan for addressing the disposal of any waste generated as a result of this project. This information can be provided in Appendix G.***
12. ***For any projects involving a building more than 50 years old, the municipality must attach documentation that it has received approval from the State Historical Commission to proceed with this project. If approval has not yet been received, note date that Project Notification Form (PNF) was submitted to MHC and attach PNF to this application.***
13. ***As per Massachusetts policy regarding ARRA transparency requirements, all public entities of the Commonwealth must post all procurement records on www.Comm-PASS.com.***
14. ***Please review and complete all documents posted on the Comm-PASS "Forms and Terms" section as part of submittal.***

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**A. APPLICANT INFORMATION**

Municipality			Contact	
Street Address			Title	
City/Town	State	Zip Code	Telephone	Email
MA				
Amount of funds requested			Total project Budget	

**AUTHORIZATION**

I \_\_\_\_\_ hereby confirm that I am duly authorized to submit this application on behalf of the city / town of \_\_\_\_\_ and that all information contained in this application is true and accurate.

\_\_\_\_\_  
 Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

**B. Please check the type of technology (or technologies) for this application:**

1. ☐ Solar PV Please provide building (if applicable) and address for where the system will be located:

*Building (eg town hall, middle school, etc)*

*Age of building(s): (If older than 50 years, evidence of approval from the state historical commission must be attached:) \_\_\_\_\_*

*Street Address:*

*City/Town:*

2. ☐ Other Clean Energy Technology (Check any that apply)

System sizes are noted to provide categorical exclusion from requiring federal National Environmental Policy Act (NEPA) review.

- ☐ Combined Heat and Power (CHP) – *sized appropriately for the building in which they are located*

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- ☐ Biomass Thermal – 3 MMBTU/hr or smaller, with appropriate Best Available Control Technologies (BACT) installed
- ☐ Solar Thermal (no pools) – sized appropriately
- ☐ Geothermal Heat Pump – 10 tons of capacity or smaller

Please provide building and address for where the system will be located:

Building (eg, town hall, middle school, etc):

Age of building(s): (If older than 50 years, evidence of approval from the state historical commission must be attached:) \_\_\_\_\_

Street Address:

City/Town:

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3. ☐ Thermal efficiency measures in oil or propane-heated buildings (check any that apply):

- ☐ New high efficiency boiler and/or furnace
- ☐ Improve efficiency of existing boiler and/or furnace
- ☐ Replacement and/or improvement of the heat delivery system (hot water steam including piping, unit heaters, ducting, insulation, dampers, fans, pumps, addition of zones and controls)
- ☐ Improve building envelope thermal performance including:
  - ☐ Reduce heat loss from building including:
    - ☐ Increase insulation in walls, attics, basements and roofs
    - ☐ Replace older windows with new ones that have a higher insulation value (only if windows constitute more than 25% of building envelope)
    - ☐ Reduce the uncontrolled infiltration of outside air by installing weather stripping, sealing and caulking gaps and cracks adjacent to exterior or unheated spaces
  - ☐ Reduce uncontrolled convection losses by installing thermal blocks where needed

- ☐ Measures to reduce heating load due to ventilation, including:
- ☐ Installation and/or upgrade and balancing of the ventilation system to achieve the minimum controlled introduction of cold outside air consistent with compliance with building codes
  - ☐ Addition of exhaust heat recovery units and air handler economizers
- ☐ Install new or upgrade existing building Energy Management Systems

*Please provide building(s) and address(es) for where measures will be implemented:*

*Age of building(s): (If older than 50 years, evidence of approval from the state historical commission must be attached:) \_\_\_\_\_*

*Building (eg town hall, middle school etc)*

*Street Address:*

*City/Town:*

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4. ☐ Performance Contract Buy-Down

*Please note how buy-down dollars will be applied in performance contract, i.e. what opportunities will become possible that were otherwise not possible without this grant. Opportunities must be either energy conservation or clean technology:*

*Note what dollars will be applied to in Performance Contract:*

*Please provide building(s) and address where applied:*

*Building (eg town hall, middle school etc)*

*Age of building(s): (If older than 50 years, evidence of approval from the state historical commission must be attached:) \_\_\_\_\_*

*Street Address:*

*City/Town:*

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**C. ELIGIBILITY REQUIREMENTS:** Please complete answers in the spaces provided. Please provide documentation as indicated below or other evidence to demonstrate that each requirement is met. If no evidence is provided, DOER cannot allocate EECBG funds. DOER may request additional information at its discretion.

1. The project is shovel-ready

**For Solar PV check all that apply and please attach document(s):**

- ☐ Completed Site assessment that includes *(check all that apply)*:
- ☐ Solar window shading analysis
  - ☐ Roof assessment demonstrating a life span of 20 years and strength to support PV system per building code
  - ☐ Space for inverter
  - ☐ Estimated system size
  - ☐ Economic analysis
  - ☐ Estimated project cost
- ☐ Procurement bid documents prepared, which could include
- ☐ RFP for Power Purchase Agreement (PPA) with potential sites identified with potential system sizes
  - ☐ Site drawings, including roof drawings
  - ☐ Scope of Work
  - ☐ Site Assessment (as an exhibit)
  - ☐ Estimated project cost
  - ☐ Project Schedule
- ☐ Project has been advertised but NOT initiated (provide date the bid was filed ) All bids, pre- and post a grant award, will need to be posted on Comm-PASS.

**For Other Clean Energy Technologies, check all that apply and please attach document(s):**

- ☐ Feasibility study or implementation plan that includes *(check all that apply)*:
- ☐ Assessment of existing conditions, including energy load analysis
  - ☐ Any permitting requirements

- ☐ Projected energy demand
- ☐ System specifications, including any ancillary systems
- ☐ Operation and maintenance considerations and staffing
- ☐ Economic analysis
- ☐ Estimated capital cost
- ☐ Procurement bid documents prepared
  - ☐ Scope of Work
  - ☐ Feasibility Study or Implementation Plan (as an exhibit)
  - ☐ Estimated project cost
  - ☐ Project Schedule
- ☐ Project has been advertised but NOT initiated (provide date the bid was filed) All bids, pre- and post a grant award, will need to be posted on Comm-PASS.

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***For Thermal efficiency measures in oil/propane-heated buildings, check all that apply and attach documents:***

- ☐ Completed energy audit report which includes *(check all that apply)*:
  - ☐ Description of existing conditions, including baseline energy and water usage
  - ☐ Energy Conservation Measures (ECMs) identified and prioritized

**NOTE:** *Measures requested for funding under Section B.3. should be consistent with the priorities established in the audit*

- ☐ Estimated investment cost for total project, each ECM, life expectancy of equipment, and estimated annual savings.
- ☐ Procurement bid documents prepared, which can include
  - ☐ Scope of Work, with description and specifications for selected ECMs
  - ☐ List of Major Equipment to be Procured
  - ☐ Estimated project cost

- ☐ Project Schedule
- ☐ Energy Audit Report (as an exhibit)

- ☐ Project has been advertised but NOT initiated (please provide date the bid was filed)  
All bids, pre- and post a grant award, will need to be posted on Comm-PASS.

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**For Performance Contract Buy-Down, check all that apply:**

- ☐ Energy Savings Contractor (ESCO) vendor selected. Please specify date DOER notified:  
\_\_\_\_\_
- ☐ Investment Grade Audit (IGA) is completed.  
Date signed: \_\_\_\_\_  
Date filed with DOER: \_\_\_\_\_  
Report received on: \_\_\_\_\_  
If not complete, date expected to be complete \_\_\_\_\_
- ☐ The Energy Management Services (EMS) Agreement has been signed and executed and allows for *changes after execution in regards to the addition of EECBG funds*:  
Date EMS Agreement signed: \_\_\_\_\_  
Date Sent to DOER for filing: \_\_\_\_\_  
If not complete, date expected to be complete \_\_\_\_\_

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**For all projects – Please complete the following eligibility requirements**

2. Number of Jobs created (*Please see Attachment B for instructions on how to determine*):

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3. Projected reductions in greenhouse gases/fossil fuel energy : (*see Attachment C for instructions on how to determine*): **Please provide your calculations in Attachment D**

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4. Committed leveraged funds: (*e.g. Source: MRET Amount: \$100,000 Date committed: 05/24/09*)

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5. All other sources of leveraged funds, pending and projected: (For each, provide the amounts, the sources, whether or not it is an outstanding request or a request yet to be made, and the likelihood of receiving, including when you expect to hear on any pending sources of requested funds).

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6. For Solar PV and Clean Energy Technologies, please describe and provide evidence of energy efficiency and conservation measures that have been implemented in the connected building in the last five (5) years: (*ie: lighting retrofits, Energy Management System*).

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7. As previously noted, unprecedented levels of reporting are required with the use of ARRA funds. Appendix E contains sample requirements that will be included with these grant awards. In **Appendix F**, please provide a summary of a Program Management Plan for managing your project, including making certain that all reporting requirements are met.

8. As previously noted, included with this application must be a plan for addressing the disposal of any waste produced as a result of this project. This information can be provided in **Appendix G**.

9. As previously noted, for any projects involving a building more than 50 years old, the municipality must attached documentation that it has received approval from the State Historical Commission to proceed with this project.

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#### **SUBMISSION INFORMATION:**

**APPLICATIONS ARE DUE December 7th, 5:00PM.**

Please provide an **electronic copy via e-mail AND 5 unbound hard copies (including attachments)** to the addresses below:

Email submittal: [diane.gray@state.ma.us](mailto:diane.gray@state.ma.us)

5 Hard Copies: Department of Energy Resources  
100 Cambridge Street, 10<sup>th</sup> Floor  
Boston, MA 02114  
ATTN: Diane Gray



**QUESTIONS:**

ALL questions must be posted to the bidder's forum on Comm-PASS ([www.comm-pass.com](http://www.comm-pass.com)). All answers, notifications, releases and amendments to this grant opportunity will be posted on Comm-PASS. To post questions:

1. From [www.comm-pass.com](http://www.comm-pass.com), scroll to the bottom of the page and select **Search for bidders' forum**, located near the middle of the page.
2. Under **\*\*AND\*\* Search by Specific Criteria**, enter [PON-ENE-2010-009](#) into the **Referenced Solicitation Number** search bar and click Search.
3. Click the link at the top of the page that says **There are 1 Forum(s) found that match your search criteria**.
4. On the right side of the page, click the eyeglasses under **View** to access the forum.
5. This Summary page contains information about the forum for ENE-2010-009, including its opening and closing dates. To post a question to the forum, click **Ask a Question in the Forum**, located in the top right corner of the page **before** the closing date has passed.
6. Enter the required sign-in information (this will be kept private from the general public and is only visible to the forum manager and contact person) and click **Next Step** at the bottom of the page.
7. Enter your question into the **Question** box and click **Submit Question** at the bottom of the page. The question will now be posted into the forum.

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**Attachment A**

**PLEASE ATTACH A REASONABLY DETAILED SUMMARY OF THE PROJECT.**

Please address each of the following:

- Estimated annual clean energy benefits (e.g. kwh saved, MMBTU saved, clean energy kwh or MMBTU generated).
- For a Performance Contract, a list of the buildings that will be included.
- Any town approvals received to date and any town approvals yet required.
- A description of the opportunities for public education on energy efficiency and conservation or clean energy as a result of implementation of this project.
- Why this project is important to your community.

Please limit your response to the space provided.

**Attachment B**  
**Jobs Created Description**

According to the US DOE, jobs created/retained are to be determined by taking the amount of funds received (or in this case, requested) and divide them by \$92,000

Ex: \$150,000 EECBG funds received / \$92,000 = 1.63 or 1-2 jobs created

If funds are less than \$92,000 than the *actual* number of jobs that will be created to manage and maintain the project can be listed, or a fraction if the applicant deems this appropriate.

It is also acceptable to provide estimated jobs created based on local income, if data is available. (ie: If the normal annual income is \$45,000. double the amount of jobs could be created than if \$92,000 was used for the estimate)

Created jobs are jobs that did not exist previously. Jobs retained are jobs that are “in-house” or taking jobs from other departments of the municipality and moving them to this project. The ARRA of 2009 is mostly concerned with jobs *created*.

**Attachment C**

Greenhouse Gas reductions can be projected using the following CO<sub>2</sub> emissions factors for the reduction in the applicable fuel type.

<b>Fuel</b>	<b>Emission Coefficients</b>		
	<b>Pounds CO<sub>2</sub> per Unit Volume or Mass</b>		<b>Pounds CO<sub>2</sub> per Unit Energy</b>
<b>Petroleum Products</b>			
Distillate Fuel (No. 1, No. 2, No. 4 Fuel Oil and Diesel)	22.384	per gallon	161.386 per MMBtu
Motor Gasoline	19.564	per gallon	156.425 per MMBtu
<b>Natural Gas and Other Gaseous Fuels</b>			
Natural Gas (Pipeline)	120.593	per 1000 ft <sup>3</sup>	117.08 per MMBtu
Propane	12.669	per gallon	139.178 per MMBtu
	532.085	per barrel	
Source for all of the above emission factors: <a href="http://www.eia.doe.gov/oiaf/i605/coefficients.htm1">http://www.eia.doe.gov/oiaf/i605/coefficients.htm1</a> .			
<b>GRID ELECTRICITY</b>			1004 per MWh

Source for the Grid Electricity emissions factors:  
ISO-NE 2007 Marginal Emissions Draft Report, March 31, 2009

For example, if you install a PV system that is projected to produce 1,000 kwh/year (=1 MWh), then the projected greenhouse gas emissions reductions would be:

$$1 \text{ MWh/yr} \times 1004 \text{ lbs CO}_2/\text{MWh} = 1004 \text{ lbs of CO}_2$$

If you increased the insulation in your building and projected to reduce your consumption of Natural Gas heating by 1,000,000 Btu/year (= 1 MMBtu), then the projected greenhouse gas emissions reductions would be :

$$1 \text{ MMBtu/hr} \times 117.08 \text{ lbs CO}_2/\text{MMBtu} = 117.08 \text{ lbs of CO}_2$$

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**Attachment D**

Please provide your calculations for GHG and fossil fuel energy reductions here.

## Appendix E

### Sample of ARRA Reporting Requirements for Grant Recipients – [See Forms and Terms Tab on www.Comm-PASS.com](http://www.Comm-PASS.com)

#### **TERMS FOR ALL ARRA CONTRACTORS:**

~~This Contract Attachment is being provided to all Contract recipients of ARRA funds as either a vendor or sub-recipient as notice of certain requirements upon which the receipt of ARRA funding is conditioned. These terms are already incorporated by reference as applicable terms through the federal grant or contract award from your grantor agency. This Attachment is being provided to ensure that you have notice of the specific requirements under ARRA that you will be required to meet as a recipient of ARRA funds. These terms are in addition to any performance, reporting or other terms already provided under your award and contract. DOCUMENTATION OF ACTUAL RECEIPT OF THIS ATTACHMENT BY THE CONTRACTOR CONTRACT MANAGER OR AN AUTHORIZED SIGNATORY SHALL BE SUFFICIENT TO BIND THE CONTRACTOR TO THE TERMS OF THIS ATTACHMENT.~~

~~As a Contractor, you shall maintain records, books, files and other data as specified in a Contract and in such detail as shall properly substantiate claims for payment under the Contract, for a minimum retention period of seven (7) years beginning on the first day after the final payment under a Contract (after the federal grant close out), or such longer period as is necessary for the resolution of any litigation, claim, negotiation, audit or other inquiry involving the Contract. The Department shall have access, as well as any parties identified under Executive Order 195, during the Contractor's regular business hours and upon reasonable prior notice, to such records, including on-site reviews and reproduction of such records at a reasonable expense.~~

~~Please note that due to transparency requirements under state and federal law, records "sufficient to substantiate payment" shall be interpreted to mean that the Contractor is required to maintain records and proactively document compliance with contract terms, attainment of performance success criteria or performance measurements and successful completion of all contract performance requirements. All Contractors, whether deemed sub-recipients or vendors, must be prepared to provide any documents, records, data or other proof of performance or related to their business activities that are paid for with ARRA funds.~~

#### **SUB-RECIPIENT TERMS:**

~~A sub-recipient is a non-Federal entity that expends Federal awards received from another entity to carry out a Federal program but does not include an individual who is a beneficiary of such a program. Specifically, sub-recipients are non-Federal entities that are awarded Recovery funding through a legal instrument from the prime recipient to support the performance of any portion of the substantive project or program for which the prime recipient received the Recovery funding. Additionally, the terms and conditions of the Federal award are carried forward to the sub-recipient.~~

~~Sub-recipient activities will be monitored as necessary to ensure that Federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements and that performance goals are achieved.~~

~~Sub-recipients receiving in the aggregate, \$500,000 or more in Federal awards during the sub-recipient's fiscal year must meet the audit requirements for that fiscal year, and are subject to the Single Audit.~~

~~In addition to all of the OMB A-133 requirements, sub-awards made from the federal stimulus funds (ARRA) are subject to Buy-American and compliance with the Davis Bacon Act of 1931. Under ARRA, these requirements pass through to sub-recipients who may have previously been exempt from compliance.~~

#### **ADDITIONAL SUB-RECIPIENT REPORTING REQUIREMENTS:**

~~In addition to general performance reporting under the Contract, OMB requirements for ARRA transparency and reporting are also passed down to sub-recipients. The Commonwealth as prime must assure that the following is provided and subsequently recorded in the state's account system, MMARS:~~

- The DUNS# of the sub-recipient, their legal name, address and type (Prime will obtain from VCUST)
- The sub-award number (Prime will obtain from encumbrance document ID)
- The total value of the sub-award/contract (Prime will obtain from contract document recorded on the encumbrance)
- The sub-award date (Prime will obtain from date on the encumbrance)
- The sub-award grant period (Prime will obtain from service begin and end dates on the encumbrance)
- The primary performance location/area of benefit (Prime will obtain from the Location Code recorded on the encumbrance and/or payment request transactions)
- Sub-recipients will be required to report all vendor payments they make with ARRA funds. Detail for these payments must include either the payee vendor DUNS number OR the vendor name and the zip code of the vendor headquarters **(Sub-recipient will be notified by Prime on how to report)**
- Sub-recipients may be also required to report the names and total compensation for the five most highly compensated officers in their organization if:

(1) the recipient in its preceding fiscal year received—(a) 80 percent or more of its annual gross revenues in Federal awards; and (b) \$25,000,000 or more in annual gross revenues from Federal awards; and

(2) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986 [26 USC § 6104].

“Total compensation” means the cash and noncash dollar value earned by the executives during the sub-recipient’s past fiscal year of the following (for more information see 17 CFR 229.402(c)(2)):

- (i). Salary and bonus.
- (ii). Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with FAS 123R.
- (iii). Earnings for services under non-equity incentive plans. Does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- (iv). Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- (v). Above-market earnings on deferred compensation which are not tax qualified.
- (vi). Other compensation. For example, severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property if the value for the executive exceeds \$10,000.

**(Sub-recipient will be notified by Prime on how to report on top five highly compensated officers.)**

#### **VENDOR TERMS:**

A Vendor is defined as a dealer, distributor, merchant or other seller providing goods or services that are required for the conduct of a Federal program. Prime recipients or sub-recipients may purchase goods or services needed to carry out the project or program from vendors. Vendors are not awarded funds by the same means as sub-recipients and are not subject to the terms and conditions of the Federal financial assistance award. As outlined under the Instructions above, Vendor payments will be reported with the vendor DUNS number OR the vendor name and the zip code of the vendor headquarters. Vendors must permit the Department and auditors to have access to all records related to contract performance paid for with ARRA funding for contract compliance purposes. In addition to any other requirements, sub-awards made to vendors from the federal stimulus funds (ARRA) are subject to Buy American and compliance with the Davis Bacon Act of 1931. Under ARRA, these requirements pass through to vendors and their sub-contractors, if any, who may have previously been exempt from compliance.

#### **TERMS FOR ALL ARRA CONTRACTORS (SUB-RECIPIENTS OR VENDORS)**

This Contract Attachment is being provided to all Contract recipients of ARRA funds to ensure that you have notice of key requirements upon which the receipt of ARRA funding is conditioned. You will be informed by your contracting Department if you will be receiving ARRA funds and whether under each contract you will be considered a “Sub-recipient” or a “Vendor”. ARRA funding is considered “one-time” funding and will not be continued or replaced with appropriated or other funding once the ARRA contract portions are expended. These terms are already incorporated by reference through the federal grant or contract award from your contracting Department and are in addition to any performance, reporting or other terms already provided under your award and contract. *Documentation of actual receipt of this attachment by the contractor contract manager or an authorized signatory shall be sufficient to bind the contractor to the terms of this attachment.*

#### **RECORDKEEPING AND ACCESS TO RECORDS**

Contractor and subcontractor recipients of ARRA funds, must maintain records, books, files and other data as specified in a Contract and in such detail to support compliance with contract terms, attainment of performance success criteria or performance measurements and successful completion of all contract performance requirements to properly substantiate claims for payment and that identify adequately the use of ARRA funds, which must be maintained for seven (7) years beginning the day after the final payment of ARRA funds or after the resolution of any litigation, claim,

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negotiation, audit or other inquiry involving the Contract. Transparency requirements under state and federal law (including Section 902) require a contractor to provide access to all such records and data to the contracting Department, the Executive Office for Administration and Finance, the Offices of the Attorney General, State Auditor, Inspector General or any state or federal compliance officer or inspector general assigned to ARRA reviews. Access to such records, including on-site reviews, interviews of officers and employees, and reproduction of such records at a reasonable expense, shall be provided during the Contractor's regular business hours and upon reasonable prior notice. **All contractors, whether deemed sub-recipients or vendors, must be prepared to provide any documents, records, data or other proof of performance, or related to their business activities that are paid for with ARRA funds.**

#### **ENFORCEABILITY**

In addition to all other remedies available to the Commonwealth under applicable state and federal laws, in the event a Contractor or their subcontractors fail to comply with contract terms or with applicable federal and state requirements governing the use of ARRA funding, the Commonwealth may withhold or suspend awards or recover any funds awarded under a contract following an audit by the Department.

#### **FALSE CLAIMS OR PUBLIC CONCERNS**

A Contractor shall promptly refer to its contracting Department any public concerns raised to the Contractor about the use of ARRA funds (Section 1514), or credible evidence that a principal, employee, agent, subcontractor or other person has committed a false claim (e.g., falsification of time sheets, reports or invoices) under the False Claims Act or has committed a criminal or civil violation pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving ARRA funds. The Contractor acknowledges that Section 1865 of ARRA, amends Section 257 of the Trade Act of 1974 increasing false claims penalties to allow imprisonment up to 2 years, or fines or both.

#### **REQUIRED JOB POSTINGS at [www.mass.gov/jobquest](http://www.mass.gov/jobquest)**

Since the primary purpose of ARRA is retention and creation of new jobs, the Governor's Economic Recovery Mobilization Act requires organizations and entities receiving full or partial ARRA funding to post job openings at JobQuest (the state's job bank) at [www.mass.gov/jobquest](http://www.mass.gov/jobquest). This website has instructions for posting jobs and managing job orders. A Business Service Representative located at one of the 37 Massachusetts One-Stop Career Centers statewide (at [www.mass.gov/careercenters](http://www.mass.gov/careercenters) or the Help Desk at 1-888-578-6599) can assist you with posting job openings and how to recruit applicants.

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#### **APPRENTICE REQUIREMENT**

The Governor's Economic Recovery Mobilization Act requires 20% of the work hours on all ARRA funded public works projects with a contract award over \$1 million to be performed by apprentices in bona fide Division of Apprenticeship Training (DAT) approved apprentice training program. This requirement applies to hourly wage employees employed on the project site, employed by the contractor or a subcontractor and subject to prevailing wage. Contact the contracting Department issuing ARRA funds and DAT at 617-626-5409 for implementation assistance.

#### **EMPLOYEE WHISTLEBLOWER RIGHT AND PROTECTIONS**

Section 1553 of ARRA provides protections for employees who make specific disclosures (whistleblowers) about uses of ARRA funds. Any contractor employer receiving ARRA funds must print and post the following poster or a similar notice to employees of section 1553 and shall include the substance of this clause in all subcontracts. <http://www.oig.dol.gov/recovery/Section1553WhistleblowerProvisions.pdf>. Whistleblower information can be found at: <http://www.recovery.gov/CONTACT/REPORTFRAUD/Pages/WhistleBlowerInformation.aspx>.

#### **SUB-RECIPIENT TERMS**

A sub-recipient is a non-federal entity that expends Federal awards received from another entity to carry out a Federal program but does not include an individual who is a beneficiary of such a program. Specifically, sub-recipients are non-Federal entities that are awarded Recovery funding through a legal instrument from the prime recipient to support the performance of any portion of the substantive project or program for which the prime recipient received the Recovery funding. Additionally, the terms and conditions of the Federal award are carried forward to the sub-recipient. Sub-recipient activities will be monitored as necessary to ensure that Federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements and that performance goals are achieved. Sub-recipients receiving in the aggregate, \$500,000 or more in Federal awards during the sub-recipient's fiscal year must meet the audit requirements for that fiscal year, and are subject to the Single Audit. In addition to all of the OMB A-133 requirements, sub-awards made from the federal stimulus funds (ARRA) are subject to Buy-American and compliance with the Davis-Bacon Act of 1931. Under ARRA, these requirements pass through to sub-recipients who may have previously been exempt from compliance.

#### **ADDITIONAL SUB-RECIPIENT REPORTING REQUIREMENTS**

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- The primary performance location/area of benefit (Prime will obtain from the Location Code recorded on the encumbrance and/or payment request transactions)



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- Sub-recipients will be required to report all vendor payments they make with ARRA funds. Detail for these payments must include either the payee vendor DUNS number OR the vendor name and the zip code of the vendor headquarters (**Sub-recipient will be notified by Prime on how to report**)
- Sub-recipients must segregate ARRA funds from other sources of funding and shall not co-mingle ARRA funds with other funds or use ARRA funds for any purpose other than for approved ARRA purposes outlined in a contract.
- Sub-recipients may be also required to report the names and total compensation for the five most highly compensated officers in their organization if:
  - (1) the recipient in its preceding fiscal year received— (a) 80 percent or more of its annual gross revenues in Federal awards; and (b) \$25,000,000 or more in annual gross revenues from Federal awards; and
  - (2) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986 [26 USC § 6104].

“Total compensation” means the cash and noncash dollar value earned by the executives during the sub-recipient’s past fiscal year of the following (for more information see 17 CFR 229.402(c)(2)):

  - (i). Salary and bonus.
  - (ii). Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with FAS 123R.
  - (iii). Earnings for services under non-equity incentive plans. Does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - (iv). Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - (v). Above-market earnings on deferred compensation which are not tax qualified.
  - (vi). Other compensation. For example, severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property if the value for the executive exceeds \$10,000.

(Sub-recipient will be notified by Prime on how to report on top five highly compensated officers.)

### VENDOR TERMS

A Vendor is defined as a dealer, distributor, merchant or other seller providing goods or services that are required for the conduct of a Federal program. Prime recipients or sub-recipients may purchase goods or services needed to carry out the project or program from vendors. Vendors are not awarded funds by the same means as sub-recipients and are not subject to the terms and conditions of the Federal financial assistance award. As outlined above, vendor payments will be reported with the vendor DUNS number OR the vendor name and the zip code of the vendor headquarters. In addition to any other requirements, sub-awards made to vendors from ARRA funds are subject to Buy-American requirements for construction material Section 1605 requiring that ARRA projects for the construction, alteration, maintenance, or repair of a public building or public work use American iron, steel, and manufactured goods in the project unless one of the specified exemptions applies, in a manner consistent with U.S. obligations under international agreements. Further Section 1606 of the Recovery Act requires compliance with the Davis-Bacon Act of 1931 that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part with ARRA funds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. These requirements pass through to vendors and their sub-contractors, if any, who may have previously been exempt from compliance.

Please contact your Commonwealth Department agency with any questions related to performance or compliance.

### Quarterly Report – Recipient Stimulus Job Information

Program / Project #			
Program / Project name	Name 1	Name 2	Name 3
Department			
MMARS Encumbrance code			

Jobs information	Hours Worked	Derived FTEs	Hours Worked	Derived FTEs	Hours Worked	Derived FTEs
Hours of full-time employee	40	1	35	1	40	1
Total hours worked, including overtime	6,000	11.54	2,000	4.40		-

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Created jobs	1,200	2.31	1,200	2.64	-	-
Retained jobs*	4,800	9.23	800	1.76	-	-
Jobs Narrative						
MA Resident	5,000	9.62	2,000	4.40	-	-
Zipcode 1	3,000	5.77	1,500	3.30	-	-
Zipcode 2	2,000	3.85	2,000	4.40	-	-
Zipcode 3	1,000	1.92	2,500	5.49	-	-
Male	2,000	3.85	2,000	4.40	-	-
Female*	4,000	7.69	-	-	-	-
> 55	1,400	2.69	1,400	3.08	-	-
31-54	4,300	8.27	600	1.32	-	-
< 30*	300	0.58	-	-	-	-
White alone	3,000	5.77	3,000	6.59	-	-
Black or African American alone	700	1.35	700	1.54	-	-
Hispanic (any race)		-		-	-	-
American Indian and Alaska Native alone	200	0.38	200	0.44	-	-
Asian alone	1,000	1.92	1,000	2.20	-	-
Native Hawaiian and Other Pacific Islander alone	-	-	-	-	-	-
Some other race	500	0.96	500	1.10	-	-
Two or more races*	600	1.15	(3,400)	(7.47)	-	-
Disability	500	0.96	-	-	-	-

## Appendix F

Please provide a Program Management Plan in the space below for managing this project, in particular, including the information tracking and reporting that will be required under ARRA funding. Please identify the specific personnel that will be assigned.

**NOTE:** All project awardees will be required to obtain a DUNS number. ~~If you already have a DUNS number, please note it here.~~ Please see W-9 Form with DUNS number under the "Forms and Terms" tab on [www.Comm-PASS.com](http://www.Comm-PASS.com).

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### **Appendix G**

Please describe in the space below the municipality's plan to dispose of any sanitary or hazardous waste e.g. construction and demolition debris, lead ballasts, asbestos, etc generated as a result of this project. The municipality must ensure that it will comply with all federal, state and local regulations for waste disposal.